

Notice of Allowability

Application No.

09/765,868

Examiner

Jared J. Fureman

Applicant(s)

LEWIS, JON KARL

Art Unit

2876

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed on 1/12/2004.
2. ☒ The allowed claim(s) is/are 9-12 and 17-20.
3. ☒ The drawings filed on 19 January 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

Receipt is acknowledged of the amendment, filed on 1/12/2004, which has been entered in the file. Claims 9-12 and 17-20 are pending.

Allowable Subject Matter

1. Claims 9-12 and 17-20 have been allowed over the prior art of record.
2. The following is an examiner's statement of reasons for allowance: The prior art of record, taken alone or in combination, fails to teach or fairly suggest a method of generating a ticket including the steps of generating ticket data with the network enabled device using the data corresponding to the image, sending the ticket data from the network enabled device to the network enabled imaging device, and forming the ticket with the network enabled imaging device; and a ticket generating apparatus comprising a network enabled imaging device directly coupled to the network, configured to send data corresponding to the image of the person to the network enabled device, arranged to receive the ticket data through the network and configured to form a ticket on media including the image; in combination with the other claimed limitations as set forth in the claims.

The examiner respectfully disagrees with applicant's argument (see pages 5-6, of the amendment filed on 1/12/2004) that the input device 10 and local printing system 20, as taught by Berson, cannot be considered a network enabled imaging device directly coupled to the network (for example, consider the embodiment where the input device 10 is a personal computer and local printing system 20 is a non-intelligent printer operating under the control of the input device 10 (see column 3, lines 43-47, of

Berson), in this case the printing system 20 depends upon input device 10 to function, therefore, the input device 10 is an integral part of the printing system 20, and thus the input device 10 and printing system 20 taken together may be considered a network enabled imaging device directly coupled to the network).

However, after further consideration, and in view of applicant's arguments against the Al-Sheikh reference (see page 5, of the amendment filed on 1/12/2004), it is agreed that Al-Sheikh does not teach or suggest sending image data from a network enabled imaging device to a network enabled device and then sending ticket data including the image data back to the network enabled imaging device and forming a ticket using the network enabled imaging. It appears that Al-Sheikh sends the image data (after step 23) from an imaging device (a type of camera, for example) for storage in a central database (steps 26, 27) and to a printer (step 24) in parallel. The image data is merely associated with the travel arrangements of the passenger in a database, and is also printed on a ticket/boarding pass. Thus, Al-Sheikh does not teach sending the image data to a network enabled device, from a network enabled imaging device, and then same network enabled imaging device receiving ticket data including the image data from the network enabled device. Al-Sheikh teaches that an image can be included with a ticket without the necessity of applicant's claimed steps and apparatus. Therefore, without the benefit of applicant's teachings, there is no motivation for one of ordinary skill in the art at the time of the invention to combine the teachings of the prior art in a manner so as to create the claimed invention.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Houvener (US 2004/0052404), Houvener (US 2004/0052403), Jackson (US 2003/0213843), Jackson (US 2003/0213842), Al Rhoads (US 2003/0179903), and Iki et al (US 6,695,203) all teach tickets/cards including an image of a person.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jared J. Fureman whose telephone number is (571) 272-2391. The examiner can normally be reached on 7:00 am - 4:30 PM M-T, and every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on (571) 272-2398. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jared J. Fureman
Jared J. Fureman
Examiner
Art Unit 2876

March 24, 2004